BOARD OF ZONING APPEALS (BZA)

AGENDA

The regular monthly meeting of the BOARD OF ZONING APPEALS will be held at 5:30 p.m. on Tuesday, September 12, 2023. This meeting is open to the public and will be held in Common Council Chambers, Third Floor, City Hall, 108 E. Green Street, Ithaca, NY, and also conducted remotely using videoconferencing technology. Members of the public are strongly encouraged to participate remotely. Virtual participation in public meetings is authorized by Part WW of Chapter 56 of the Laws of 2022 of New York State and Local Law 2022-05. More information, including the written procedures governing the use of videoconferencing technology, is available at http://www.cityofithaca.org/339/Boards-Committees.

For remote viewing/attendance: A live stream of the proceedings is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg; a recording will made available through the same link following the conclusion of the proceedings. If you are a member of the public wanting to observe the meeting, please simply watch the live stream. If you are an interested party and would like to sign up to speak at the meeting or submit written comments, please see the instructions at the end of the agenda.

I. TELECOMMUNICATIONS APPEALS: None

II. NEW APPEALS

A. Appeal Number 3256  5:35 PM
   Address: 215 Cleveland Avenue
   Zone: R-2b
   Applicant: Leslie Ackereman
   Property Owner: Ithaca Neighborhood Housing Services
   Public Hearing: Yes
   Description: Request for an area variance from §325-8, Column 7, Lot Width, and Column 12, Side Yard to allow the demolition of a deteriorated residential structure and the construction of a new single-family home. The home will be constructed on a lot that is 33' wide where a minimum lot frontage of 35' is required. In addition, a portion of the home will project into the required side yard, reducing the yard to 8' of the required 10'.

B. Appeal Number 3257  5:55 PM
   Address: 510 W State Street
   Zone: CBD50 & B2D
   Applicant: Ithaca Office Space, LLC
   Property Owner: Ithaca Office Space, LLC
   Public Hearing: Yes
   Description: Request for an area variance from §325-8, Column 9, Maximum Building Height in Feet, and Column 14/15, Rear Yard, requirements of the Zoning Ordinance to allow the construction of a new mixed-use building on a property located in both the CBD-50 and B-2d zones. The portion of the building in...
the CBD-50 district will be 5 stories and 52’ 7” in height, exceeding the maximum building height by 7”. The portion of the building in the B-2d district will be 4 stories and 44.5’ in height, exceeding the maximum building height by 4.5’. In addition, the property has street frontage on three streets, and the applicant is seeking a variance of 6” from the rear yard requirements on W. Seneca Street in order to treat that frontage as a front yard within the B-2d zone.

III. CONTINUED APPEALS
None

IV. PRELIMINARY PRESENTATIONS & BOARD COMMENTS

V. APPROVAL OF MINUTES 6:15 PM
A. July 11, 2023

VI. ADMINISTRATIVE MATTERS 6:20 PM
A. Update on Zoning Permits

VII. ADJOURNMENT 6:30 PM

PLEASE NOTE: The Board may take a 10-minute break around 8:00 p.m., if the meeting will continue for more than two hours.

ACCESSING ONLINE MEETING MATERIALS
Parties interested in reviewing application materials prior to the meeting may visit the City's website at http://www.cityofithaca.org/368/Board-of-Zoning-Appeals (select “Most Recent Agenda”), beginning one week before the scheduled BZA meeting. Please do not hesitate to contact our office if you have any questions or need any assistance accessing the materials.

COMMENTS & QUESTIONS
Interested parties are invited to speak or submit written comments on appeals that come before the Board of Zoning Appeals. The Board considers "interested parties" persons who live, work or own property within 750 feet of the property, who are authorized representatives of recognized adjacent neighborhood civic groups, or who are elected City officials. Interested parties wishing to be heard must register by 3:00 PM on the day of the meeting. To register, please send your name and address to mwilson@cityofithaca.org, subject line: “BZA Speaker Registration – September 2023”.

Interested parties may submit comments for public hearings by mail or email. All comments must be received by 3 p.m. on the day of the meeting, and they will be included in the record. Each comment is limited to three minutes. Indicate in your email that the comment is for a public hearing and please include your name and address. All comments and questions can be emailed to Megan Wilson at mwilson@cityofithaca.org or call (607) 274-6550.
Appeal of property owner Ithaca Neighborhood Housing Services for an area variance from §325-8, Column 7, Lot Width, and Column 12, Side Yard requirements of the Zoning Ordinance. The applicant proposes to demolish an existing single-family home and construct a new three-bedroom, single-family residence, located at 215 Cleveland Avenue. The R-2b zoning regulations require a minimum lot width of 35’, and the existing property is 33’ wide at the street. In addition, the proposed project will provide an 8’ side yard where a minimum of 10’ is required.

215 Cleveland Avenue is located in a R-2b district in which the proposed use is permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
City of Ithaca Board of Zoning Appeals Worksheet

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<tr>
<th>Appeal Number</th>
<th>BZA-3256</th>
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<td>Use District</td>
<td>R-2b</td>
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<td>Date</td>
<td>07/19/23</td>
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<td>Applicant</td>
<td>INHS</td>
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<td>Owner</td>
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<td>Application Type</td>
<td>Area Variance</td>
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<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
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Notes: Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.
CITY OF ITHACA
108 E. Green St. — Third Floor  Ithaca, NY  14850-5690

DEPARTMENT OF PLANNING, BUILDING, ZONING & ECONOMIC DEVELOPMENT
Megan Wilson, Secretary to the Board of Zoning Appeals
Telephone: 607-274-6550  Fax: 607-274-6558  E-Mail: mwilson@cityofithaca.org

BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:

[X] AREA Variance
[ ] SPECIAL PERMIT
[ ] USE Variance
[ ] SIGN Variance
[ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER

APPEAL #: 3256  (FILLED IN BY STAFF)
HEARING DATE: Sept 5, 2023
BUILDING PERMIT #: 44653  (REQUIRED)
RECEIPT #: 71083  (FILLED IN BY STAFF)

2. Property Address: 215 Cleveland Avenue
   Use District: R2b

   Owner's Name: Ithaca Neighborhood Housing Services
   Owner's Address: 115 W. Clinton Street

   City: Ithaca
   State: NY
   Zip: 14850

3. Appellant's Name: Leslie Ackerman
   Appellant's Address: 115 W. Clinton Street

   City: Ithaca
   State: NY
   Zip: 14850

   Telephone: 607-288-2823
   E-Mail: lackerman@ithacanhs.org

4. Attach Reason for Appeal (see “Zoning Appeal Procedure Form”)

5. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

[X] I have met/discussed this application with Zoning Division staff prior to submission.

Appellant Signature

STATE OF NEW YORK
COUNTY OF TOMPKINS

Sworn to this 7th day of July, 2023

Notary Public

IMPORTANT: INCOMPLETE applications will be returned to the applicant and the applicant will have to reapply.

If ANOTHER CITY APPROVAL is required (e.g., Site Plan Review, Subdivision Review, Ithaca Landmarks Preservation Commission Review), this application will likely not be considered at the next scheduled BZA meeting date.

If an application is submitted and subsequent CHANGES are made to the proposal/project, a revised application will be required. The original application will not be considered a placeholder for the original BZA hearing date. Zoning Division staff will also not remove contents from earlier applications to complete a revised application. Applicants are responsible for ensuring all information necessary for processing a Zoning Appeal is submitted by the application deadline for a given BZA hearing date.
**OFFICE USE ONLY**

1. Ordinance Section(s) for the Appeal:

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<tr>
<th>Zoning Ordinance Section Being Appealed</th>
<th>Sign Ordinance Section Being Appealed</th>
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<td>• §325- 8, Columns 7, 12</td>
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</tr>
<tr>
<td>• §325- ___________________________</td>
<td>• §272- ___________________________</td>
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2. Application of SEQR determination:  
- [ ] Type 1  
- [x] Type 2  
- [ ] Unlisted

3. Environmental Assessment form used:
- [ ] Short Environmental Assessment Form (SEAF)
- [ ] Full Environmental Assessment Form (FEAF)
- [ ] Completed by Planning Division at preliminary hearing for Site Plan Review
- [x] Not Applicable (Type 2 Action)

4. A previous appeal [ ] has / [x] has not been made for this proposal:

- Appeal No. _______, dated ____________
- Appeal No. _______, dated ____________
- Appeal No. _______, dated ____________

5. Notes or Special Conditions:
INHS Area Variance Request for 215 Cleveland Avenue, Ithaca – Reason for Appeal

Attn: Planning and Development Board; Board of Zoning Appeals

INHS is applying to the Board of Zoning Appeals for an Area Variance for our intended project at 215 Cleveland Avenue. This statement presents the details of the non-compliant areas and rationale for relief from these regulations.

INHS purchased 215 Cleveland Avenue in August 2021, following City of Ithaca tax foreclosure on the property. The original intent was to rehabilitate the existing house; however, following interior demolition and asbestos remediation in January 2022, the building was inspected by our structural engineer and architect and deemed to be a tear-down. The planned design for the new building is a modular, two-story house, approximately 1400 square feet, with three bedrooms and 1.5 baths. INHS constructs all its homes to extremely high energy efficiency standards, and this building is designed to achieve the LEED-for-Homes Gold rating, as well as being EnergyStar and WaterSense certified. On completion, the home will be sold to a first time homebuyer earning below 80% of the Ithaca area median income (as determined by HUD), and 215 Cleveland Avenue will become part of INHS’s Community Housing Trust, which ensures its permanent affordability for future owners.

The project design complies with all aspects of Ithaca’s Zoning Ordinance except for two requirements. We are requesting an Area Variance due to the following:

1. The property itself is non-compliant with the minimum road frontage requirement. The parcel is 33 feet wide, two feet short of the 35-foot minimum that is required.

2. One side setback will be less than the minimum required. For most of its length, the planned house is 16 feet wide, which leaves sufficient space (17 feet) for the required side setbacks. However, a portion of the home extends to 20 feet wide to accommodate the stair module, leaving only 13 feet of lot width for the two side setbacks in that section, insufficient to achieve one 5-foot and one 10-foot side setback. The west side setback will be compliant at five feet; the east side setback will be only eight feet at its minimum.

Setback and lot size non-compliance are exceedingly common in the Southside neighborhood; by INHS’s count, 19 of the 20 homes in the 200 block of Cleveland Avenue are non-compliant in one or more dimensions. Even with its two points of non-compliance, the proposed 215 Cleveland site plan will be a substantial improvement over the existing house, which is approximately 26 feet wide, with less than one foot of setback to the west, less than 7 feet to the east, and about 8 feet of front setback. It will also provide the parcel with a new off-street parking space, which the current layout does not allow.

We have designed the site plan and the building to come as close as possible to meeting the setback requirements, while optimizing both interior and exterior space. The alternative to our design would have been to include the stairs in the main living area of the home, rather than in the wider “bump-out” space they inhabit.
At sixteen feet wide, the home’s main area is already quite narrow, however, and that would have significantly decreased the functionality of the living space, particularly upstairs.

INHS believes that the project as designed optimizes the site conditions. There is no construction or design remedy that can address the parcel’s deficient street frontage; thus, a variance for this aspect is unavoidable if the property is to be put to productive residential use. The modifications required to meet side setback requirements would create a less functional, less neighborhood-appropriate home.

We thank you for consideration of this zoning appeal.
NOTICE OF APPEAL

REGARDING ZONING OR SIGN ORDINANCE

CITY OF ITHACA, NEW YORK

TO: Owners of Property within 200 feet of [property address] and others interested.

FROM: Ithaca Neighborhood Housing Services

REgarding: [check appropriate box]

☐ Area Variance ☐ Use Variance ☐ Sign Variance ☐ Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached narrative and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. Interested parties are defined as persons who live, work, or own property within 750’ of an appeal; designated representatives of neighborhood or civic associations; and elected City officials. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives.

The Planning Board will consider this case on August 24 at 6:00 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on Sept 12 at 5:300 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2IVCnTrDg. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 3 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be distributed to the Board or read aloud at the meeting. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or the Planning Division at (607) 274-6550. You must provide your name and address.

Signature of Appellant 115 W. Clinton Street Date July 13, 2023
July 12, 2023

Dear Neighbor,

This letter is to inform you of INHS’s application to the Board of Zoning Appeals for an Area Variance for our intended project at 215 Cleveland Avenue. Please see the included Notice of Appeal form for more information about the zoning appeal process and your rights as a neighboring resident.

INHS purchased 215 Cleveland Avenue in August 2021, following City of Ithaca tax foreclosure on the property. The original intent was to rehabilitate the existing house; however, after interior demolition and asbestos remediation in January 2022, the building was inspected by our engineer and architect and determined to be structurally unsound. Later this year, we plan to demolish the existing building, and in 2024, we plan to build a new for-sale home on the site. The house will have three bedrooms and 1.5 baths and will meet extremely high energy efficiency standards. It will be sold to a low- to moderate-income, first time homebuyer and will become part of INHS’s Community Housing Trust, which ensures its permanent affordability for future owners.

The project design complies with all aspects of Ithaca’s Zoning Ordinance except for two requirements. We are requesting an Area Variance due to the following:

1. All lots in this property’s building zone (R-2B) are required to be 35 feet wide at the street. The 215 Cleveland parcel is only 33 feet wide. This requires a variance for new construction, even though a previous home was built on the site.

2. One of our side setbacks (the distance from the building to the property boundary) will be less than the minimum required. Homes in zone R-2B are required to have side setbacks of at least 5 feet on one side and 10 feet on the other. For most of its length, our planned house will have sufficient space on both sides for the required setbacks. However, one portion of the home is slightly wider; for that portion of the house, the east side setback will be 8 feet, two feet less than the 10-foot minimum required. Therefore, a variance is required.

Setback and lot size non-compliance are extremely common in the Southside neighborhood. By INHS’s count, 19 of the 20 homes in the 200 block of Cleveland Avenue are non-compliant in one or more dimensions. The proposed new 215 Cleveland site plan will be a substantial improvement over the existing layout, which has less than 1 foot of setback to the west and less than 7 feet to the east. It will also provide the parcel with a new off-street parking space, which the current layout does not allow.

INHS believes that the project as designed optimizes the site conditions. There is no construction method or building design strategy that can make the parcel wider, so if the property is to be put back into productive residential use, a variance for the street frontage requirement is unavoidable. The modifications necessary to meet side setback requirements would create a less functional, less neighborhood-appropriate home.
Our full application can be accessed online, per the instructions on the accompanying Notice of Appeal. There you may view the proposed site layout of the new house and architectural drawings that show the intended design of the building. If you have any questions about this project, please feel free to reach out to me at the contact information listed below. As noted previously, the included Notice of Appeal describes how you may comment to the Board of Zoning Appeals on this variance application.

Sincerely,

Leslie Ackerman
Community Housing Trust Manager
lackerman@ithacanhs.org
607-288-2823
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<th>TaxMap</th>
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<td>B &amp; H Green St Properties LLC</td>
<td>Sherri L LaTorre-Ovaska</td>
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<td>Stephen C DelCollo</td>
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<td>Ithaca NY 14850</td>
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</table>
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals          Zoning Appeal # 3256

I, ______________ Leslie Ackerman ________________, affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before August 11, 2023. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

____________________________________
(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division          Phone: (607) 274-6550
108 E. Green St., 3rd Fl.          Fax: (607) 274-6558
Ithaca, NY 14850
August 11, 2023

Dear Neighbor,

This letter is to inform you of INHS’s application to the Board of Zoning Appeals for an Area Variance for our intended project at 215 Cleveland Avenue. Please see the included Notice of Appeal form for more information about the zoning appeal process and your rights as a neighboring resident.

INHS purchased 215 Cleveland Avenue in August 2021, following City of Ithaca tax foreclosure on the property. The original intent was to rehabilitate the existing house; however, after interior demolition and asbestos remediation in January 2022, the building was inspected by our engineer and architect and determined to be structurally unsound. In 2024, we plan to demolish the existing building and build a new for-sale home on the site. The house will have three bedrooms and 1.5 baths and will meet extremely high energy efficiency standards. It will be sold to a low- to moderate-income first time homebuyer and will become part of INHS’s Community Housing Trust, which ensures its permanent affordability for future owners.

The project design complies with all aspects of Ithaca’s Zoning Ordinance except for two requirements. We are requesting an Area Variance due to the following:

1. All lots in this property’s building zone (R-2B) are required to be 35 feet wide at the street. The 215 Cleveland parcel is only 33 feet wide. This means a zoning variance is required for new construction, even though a home was previously built on the site.

2. One of our side setbacks (the distance from the building to the property boundary) will be less than the minimum required. Homes in zone R-2B are required to have side setbacks of at least 5 feet on one side and 10 feet on the other. For most of its length, our planned house will have sufficient space on both sides for the required setbacks. However, one portion of the home is slightly wider; for that portion of the house, the east side setback will be 8 feet, two feet less than the 10-foot minimum required. Therefore, a zoning variance is required.

Setback and lot size non-compliance with zoning requirements are extremely common in the Southside neighborhood. By INHS’s count, 19 of the 20 homes in the 200 block of Cleveland Avenue are non-compliant in one or more dimensions. The proposed new 215 Cleveland site plan will be a substantial improvement over the existing layout, which has less than 1 foot of setback to the west and less than 7 feet to the east. It will also provide the parcel with a new off-street parking space, which the current layout does not allow.

INHS believes that the project as designed optimizes the site conditions. There is no construction method or building design strategy that can make the parcel wider, so if the property is to be put back into productive residential use, a variance for the street frontage requirement is unavoidable. The modifications necessary to meet side setback requirements would create a less functional, less neighborhood-appropriate home.
Our full application can be accessed online, per the instructions on the accompanying Notice of Appeal. There you may view the proposed site layout of the new house and preliminary architectural drawings that show the intended design of the building. If you have any questions about this project, please feel free to reach out to me at the contact information listed below. As noted previously, the included Notice of Appeal describes how you may comment to the Board of Zoning Appeals on this variance application if you wish to.

Sincerely,

[Signature]

Leslie Ackerman
Community Housing Trust Manager
lackerman@ithacanhs.org
607-288-2823
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3256

TO: Owners of Property within 200 feet of 215 Cleveland Avenue __________________________and others interested.

FROM: Ithaca Neighborhood Housing Services __________________________________________

REGARDING: (check appropriate box)

☐ Area Variance ☐ Use Variance ☐ Sign Variance ☐ Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached narrative and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. Interested parties are defined as persons who live, work, or own property within 750’ of an appeal; designated representatives of neighborhood or civic associations; and elected City officials. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives.

The PLANNING BOARD will consider this case on August 24 at 6:00 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW21VCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The BOARD OF ZONING APPEALS will consider this case on Sept 12 at 5:300 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW21VCnTrDg. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 3 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be distributed to the Board or read aloud at the meeting. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or the Planning Division at (607) 274-6550. You must provide your name and address.

__________________________ 115 W. Clinton Street  Aug 11, 2023
Signature of Appellant  Address  Date
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<th>Owner2</th>
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<td>Elizabeth S Simkin</td>
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I hereby certify to the best of my knowledge that I am a licensed land surveyor, New York State License No.550996, and that this map correctly delineates an actual survey on the ground made by me or under my direct supervision and that I found no visible encroachments either way across property lines except as shown herein.

CERTIFICATION

T.G. MILLER, P.C.
ENGINEERS AND SURVEYORS
607 WEST STATE STREET, SUITE A
ITHACA, NEW YORK 14850
WWW.TGMLLESON.COM
607-272-5477

DATED: 4/4/2022

TITe:
BOUNDARY & TOPO MAP
NO. 215 CLEVELAND AVENUE
CITY OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: 4/4/2022

S22228

SCALE: 1" = 12'
215 Cleveland proposed site plan

215 Cleveland

3 BR house
560 sf
30 sf porch
70 sf
Driveway
578 sf

Parcel boundary

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<tr>
<th>Item</th>
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<th>Proposed project specification</th>
<th>Allowable deviation</th>
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<td>Primary use</td>
<td>1 or 2 family</td>
<td>Single family dwelling</td>
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<td>Off-street parking</td>
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<td>Canopy dimension</td>
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<td>Canopy depth</td>
<td>10 feet</td>
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<tr>
<td>Canopy height</td>
<td>3.5 feet (10.7 ft)</td>
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<td>Canopy setback</td>
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<td>Canopy roof pitch</td>
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<td>Rear site setback</td>
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<tr>
<td>Rear setback</td>
<td>25 ft (10% of 200 ft)</td>
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<td>Minimum lot size</td>
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* Note: front and rear porches to be added *
Appeal of property owner Ithaca Office Space, LLC for an area variance from Section 325-8, Column 9, Maximum Building Height in Feet, and Column 14/15, Rear Yard, requirements of the Zoning Ordinance. The applicant proposes to consolidate the lots at 507 W. Seneca Street and 510 W. State Street and construct a new 4-5 story mixed-used building on the combined lot. The consolidated property will be a through-lot that spans the block and connects W. State Street, N. Corn Street, and W. Seneca Street. It will be located in two zoning districts, with the northern 70 feet of lot depth in the B-2d district and the remainder of the property in the CBD-50 district. The proposed building will be in both zones, and the building must meet the zoning requirements for the district in which it is located. The portion of the building in the CBD-50 district will be 5 stories and 52’ 7” in height, exceeding the maximum building height by 7”. The portion of the building in the B-2d district will be 4 stories and 44.5’ in height, exceeding the maximum building height by 4.5’. The applicant is seeking a variance from the Heigh in Feet requirements for an additional 7” in the CBD-50 and an additional 4.5’ in the B-2d. The purpose of the requested variance is to align the floor plates throughout the building while meeting the story height requirements of the CBD-50 zone; to provide taller ceiling heights in the apartments; and to address changing topography across the site.

In addition, the applicant is seeking a variance from the Rear Yard requirements. The property will have frontage on three streets, with front yards on W. State Street and N. Corn Street and the rear yard facing W. Seneca Street. The applicant is proposing to treat this yard as a third front yard, and the proposed building will be located 10’ from the property line. The B-2d zoning regulations require a 10.5’ rear yard on this property, and the applicant requests an area variance for the 0.5’ rear yard deficiency.

This project came before the Board of Zoning Appeals in 2021, and the area variances were approved by the Board on August 3, 2021. However, the applicant did not proceed with construction within two years, as required by the Zoning Ordinance, and the variances became void. The applicant is now seeking new variances for the project. No changes have been made to the August 2021 proposal.

The property is located in both the CBD-50 and B-2d use district in which the proposed uses are permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.
# Appellant Information

**City of Ithaca**

**Board of Zoning Appeals Worksheet**

- **Appeal Number**: BZA 3257
- **Address**: 510 W. State Street
- **Date**: September 12, 2023
- **Use District**: B-2d & CBD-50
- **Applicant**: Ithaca Office Space, LLC
- **Owner**: Ithaca Office Space, LLC
- **Application Type**: Area Variance

## Existing Condition and Use

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<td><strong>Column Title</strong></td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear Yard: % of depth or number</td>
<td>Minimum Building Height</td>
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<td>Two-Family Dwelling</td>
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<td>4</td>
<td>0</td>
<td>8,146</td>
<td>66'</td>
<td>2</td>
<td>~25'</td>
<td>22%</td>
<td>4'</td>
<td>32'</td>
<td>2.9'</td>
<td>58'</td>
<td>2; 25'</td>
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<td><strong>District Regulations for Existing Use</strong></td>
<td>Office, Retail, Restaurant, Multiple Dwellings</td>
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<td>B-2d: N/A; CBD-50: None</td>
<td>B-2d: N/A; CBD-50: None</td>
<td>3000 (B-2d); 40' (B-2d); 10' (CBD-50)</td>
<td>None</td>
<td>B-2d: 40'; CBD-50: 52'</td>
<td>B-2d: 75%; CBD-50: 100%</td>
<td>B-2d: 10'; CBD-50: 0'</td>
<td>B-2d: 5'; CBD-50: 0'</td>
<td>CBD-50: 0'</td>
<td>CBD-50: 10'</td>
<td>25' min 2 stories</td>
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## Proposed Use

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<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Other Front Yard</td>
<td>Other Side Yard</td>
<td>Rear Yard: % of depth or number</td>
<td>Minimum Building Height</td>
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<td>9,801</td>
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<td>~18'</td>
<td>43%</td>
<td>~2'</td>
<td>N/A</td>
<td>7.6</td>
<td>0</td>
<td>10'</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>District Regulations for Existing Use</strong></td>
<td>Office, Retail, Restaurant, Multiple Dwellings</td>
<td></td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>10'</td>
<td>None</td>
<td>52'</td>
<td>100%</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>10'</td>
</tr>
<tr>
<td><strong>Note Non-Conforming Conditions</strong></td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>OK</td>
<td><strong>Def.</strong></td>
</tr>
</tbody>
</table>
## City of Ithaca Board of Zoning Appeals Worksheet

**Appeal Number:** BZA 3257  
**Address:** 510 W. State Street  
**Use District:** B-2d & CBD-50  
**Applicant:** Ithaca Office Space, LLC  
**Owner:** Ithaca Office Space, LLC  
**Application Type:** Area Variance

<table>
<thead>
<tr>
<th>Column Number</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14/15</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column Title</td>
<td>Use</td>
<td>Accessory Use</td>
<td>Off-Street Parking</td>
<td>Off-Street Loading</td>
<td>Lot Area (Sq. Feet)</td>
<td>Lot Width (Feet)</td>
<td>Number of Stories</td>
<td>Height in Feet</td>
<td>% of Lot Coverage</td>
<td>Front Yard</td>
<td>Other Front Yard</td>
<td>Side Yard</td>
<td>Other Side Yard</td>
<td>Rear yard: % of depth or number of feet, whichever is less</td>
</tr>
<tr>
<td><strong>Existing Condition and Use</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>District Regulations for Existing</strong></td>
<td>Office, Retail, Restaurant, Multiple Dwellings</td>
<td>B-2d: N/A***; CBD-None</td>
<td>B-2d: N/A***; CBD-None</td>
<td>3000 (B-2d); None (CBD-50)</td>
<td>40’ (B-2d); 10’ (CBD-50)</td>
<td>None</td>
<td>B-2d: 40’; CBD-50: 52’</td>
<td>B-2d: 75%; CBD-50: 100%</td>
<td>B-2d: 10’**; CBD-50: 0’</td>
<td>B-2d: 5’; CBD-50: 0’</td>
<td>B-2d: 15% or 20’, but not less than 10’</td>
<td>25’ min 2 stories</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Note Non-Conforming Conditions</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>Proposed Condition and/or Use</strong></td>
<td>Retail &amp; Multiple Dwellings</td>
<td>0</td>
<td>0</td>
<td>19,747</td>
<td>33.2’</td>
<td>B-2d: 4’; CBD-50: 5</td>
<td>B-2d: 44’ 6”; CBD-50: 52’ 7”</td>
<td>B-2d: 59.3%; CBD-50: 93.2%</td>
<td>0</td>
<td>27.2’</td>
<td>B-2d: 10.43’; CBD-50: 6.11’</td>
<td>B-2d: 5.93’; CBD-50: 5.99’</td>
<td>14.3% or 10’</td>
<td>44.5’; 4 stories</td>
</tr>
<tr>
<td><strong>District Regulation for Proposed</strong></td>
<td>Office, Retail, Restaurant, Multiple Dwellings</td>
<td>None</td>
<td>None</td>
<td>3000 (B-2d); None (CBD-50)</td>
<td>10’ (CBD-50)</td>
<td>None</td>
<td>B-2d: 40’; CBD-50: 52’</td>
<td>B-2d: 75%; CBD-50: 100%</td>
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<td></td>
<td></td>
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<td>OK</td>
<td>OK</td>
<td>OK</td>
<td>Def.</td>
<td>OK</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

Existing deficiencies noted in blue; new or exacerbated deficiencies noted in red.

* The project site is a through-lot that connects W. State Street, N.Corn Street, and W. Seneca Street. The parcel is located in both the CBD-50 and B-2d districts. In such a situation, each portion of the new building must meet the district regulations for the zone in which it is located. The majority of the proposed building is located in the CBD-50 zone on W. State Street and N. Corn Street but the rear portion of the building is located in the B-2d zone.

** The property has front yards and side yards in the CBD-50 zone; the property has side yards and the rear yard in the B-2d zone.
BOARD OF ZONING APPEALS (BZA) APPLICATION

1. TYPE OF APPEAL:
   - [X] AREA VARIANCE
   - [ ] USE VARIANCE
   - [ ] SIGN VARIANCE
   - [ ] ACTION, DECISION, OR INTERPRETATION OF ZONING OFFICER
   - APPEAL #: 3257
   - HEARING DATE: 9/12/23
   - BUILDING PERMIT #: 38691
   - RECEIPT #: 71179

2. Property Address: 510 W. State Street, Ithaca, NY 14850
   - Use District: CBD50 & B2D
   - Owner’s Name: Ithaca Office Space, LLC
   - Owner’s Address: 226 Cecil Malone Dr, Suite 3
   - City: Ithaca
   - State: NY
   - Zip: 14850

3. Appellant’s Name: Ithaca Office Space, LLC
   - Appellant’s Address: 226 Cecil Malone Dr, Suite 3
   - City: Ithaca
   - State: NY
   - Zip: 14850
   - Telephone: 607-269-7300
   - E-Mail: todd@visumdevelopment.com

4. Are there any existing zoning variances for this property? Yes [ ] No [X]

5. Has a previous appeal been made for this proposal? Yes [X] No [ ]

6. Appellant Certification: I certify the information submitted with the appeal is true to the best of my knowledge/belief; and I have read and am familiar with City of Ithaca Zoning Ordinance sections that apply to this appeal (incl. Section 325-40, describing the powers and duties of the Board of Zoning Appeals). I also acknowledge the Board of Zoning Appeals may visit the property and I specifically permit such visits.

   Appellant Signature

CHECKLIST - This application is complete, with the following attachments:

- [ ] Narrative
- [ ] Survey
- [ ] Plans & Elevations
- [ ] Renderings or Photos
- [ ] SEAF (if required)
- [ ] Notarized Owner Authorization
- [ ] Notice of Appeal
- [ ] Appeal Narrative
- [ ] List of Owners 200'
- [ ] Certification of Mailing
- [ ] Appeal Fee

Appellant Initials
From: Ithaca Office Space, LLC
To: City of Ithaca Board of Zoning Appeals
Megan Wilson, Secretary
108 E. Green St. – Third Floor
Ithaca, NY 14850
mwilson@cityofithaca.com

Date: July 28, 2023
Re: 510 W State St Zoning Appeal

The applicant, Visum Development Group, is proposing to develop a building on a thru-block parcel with an address on West State Street. The parcel extends to Corn Street to the east, and to West Seneca Street to the north. The zoning officer has determined that the State Street and Corn Street frontages are front yards, but that the Seneca Street frontage, being the furthest lot line from the address side of the lot, is considered a rear yard.

This rear yard of the thru-block lot is in the B2d zoning district. The depth of the lot that exists within that zone is 70’. The required 15% rear yard setback is therefore 10.5’. The proposed setback is 10’, which is the minimum rear yard required in the district. A variance is being requested to reduce the setback from 10.5’ to 10’. The applicant asserts that the yard should be treated as a front yard because it faces a street. The minimum front yard setback in the B2d district is 10’, and the applicant is proposing to respect this required setback. Furthermore, setting the building further back from the street line would be inconsistent with the adjacent buildings which front the street, most of which are actually closer to the street line than the 10’ minimum required by zoning.

Additionally, the applicant is requesting two height variances due to the nature of the building spanning across two zones and the topographical conditions that occur. In zone CBD-50 to the south and of the 5-story portion of the building the allowable height is 52’-0”. The proposed building height in that zone is 52’-7” resulting in 7” of excess building height in the zone. The building height is determined by maintaining the required first floor to floor height of 12’ and the necessary floor structure and a desired ceiling height of 9’ to help create better living units for low income tenants who often times are left with the bare minimums in their housing options. With the higher ceilings we feel this will result in a higher quality living experience.

The second height variance occurs in the 4-story portion of the building that sits in the B2D zone to the north on West Seneca St. The B2D zone allows for a maximum building height of 40’-0”. The proposed building height in that zone is 44’-5” resulting in 4’-5” of excess building height in the zone. The reason for this excess height is that there is a 2 foot topographical drop from West State St. to West Seneca Street. There is also a required first floor to floor height of 12’ in zone CBD-50 that in order to create structural efficiency in the building is necessary to maintain consistent floor levels across the length of
the building resulting in the first floor on West Seneca St. starting 2’-0” above grade level and maintaining a first floor to floor height of 12’ and in addition to maintaining the desired ceiling height of 9’ throughout all 4 levels.

Julia Bucher
Senior Development Manager
Visum Development Group LLC
CITY OF ITHACA BOARD of ZONING APPEALS
Area Variance Findings & Decision

Appeal No.: 3193

Applicant: Ithaca Office Space, LLC, Property Owner

Property Location: 510 W. State Street

Zoning District: CBD-50 & B-2d

Applicable Section of City Zoning Code: §325-8, Columns 9 and 14/15.

Requirement for Which Variance is Requested: Building Height in Feet; Rear Yard.


Summary: Appeal of property owner Ithaca Office Space, LLC for an area variance from Section 325-8, Column 9, Maximum Building Height in Feet, and Column 14/15, Rear Yard, requirements of the Zoning Ordinance. The applicant proposes to consolidate the lots at 507 W. Seneca Street and 510 W. State Street and construct a new 4-5 story mixed-used building on the combined lot. The consolidated property will be a through-lot that spans the block and connects W. State Street, N. Corn Street, and W. Seneca Street. It will be located in two zoning districts, with the northern 70 feet of lot depth in the B-2d district and the remainder of the property in the CBD-50 district. The proposed building will be in both zones, and the building must meet the zoning requirements for the district in which it is located. The portion of the building in the CBD-50 district will be 5 stories and 52’ 7” in height, exceeding the maximum building height by 7”. The portion of the building in the B-2d district will be 4 stories and 44.5’ in height, exceeding the maximum building height by 4.5’. The applicant is seeking a variance from the Heigh in Feet requirements for an additional 7” in the CBD-50 and an additional 4.5’ in the B-2d. The purpose of the requested variance is to align the floor plates throughout the building while meeting the story height requirements of the CBD-50 zone; to provide taller ceiling heights in the apartments; and to address changing topography across the site.

In addition, the applicant is seeking a variance from the Rear Yard requirements. The property will have frontage on three streets, with front yards on W. State Street and N. Corn Street and the rear yard facing W. Seneca Street. The applicant is proposing to treat this yard as a third front yard, and the proposed building will be located 10’ from the property line. The B-2d zoning regulations require a 10.5’ rear yard on this property, and the applicant requests an area variance for the 0.5’ rear yard deficiency.

The property is located in both the CBD-50 and B-2d use district in which the proposed uses are permitted. However, Section 325-38 requires that an area variance be granted before a building permit is issued.

Members present:
Stephen Henderson
Stephanie Egan-Engels
David Barken, Acting Chair

There were no comments in support of or in opposition to this appeal.

**Tompkins County Review per Section 239 -l & -m of New York State General Municipal Law:**
The Tompkins County Department of Planning & Sustainability had no recommendations or comments on the proposal.

**Environmental Review:** This variance is a component of an action that also includes subdivision and site plan review. Considered together, this is a Type 1 Action under the City of Ithaca Environmental Quality Review Ordinance and the State Environmental Quality Review Act for which the Planning and Development Board, acting as Lead Agency, made a Negative Determination of Environmental Significance on July 27, 2021.

**Planning & Development Board Recommendation:**
The Planning Board does not identify any negative long-term planning impacts and supports this appeal. They determined that the height variances are not impactful to the site as there is a two-foot drop on the site and it is important to maintain consistent floor levels across the building and ample ceiling heights for future tenants; as well, the rear yard variance is not impactful as it is a thru site and the character of the neighborhood is such that houses are close to the street line.

**Ithaca Landmarks Preservation Commission Recommendation:**
Not applicable

**Motion:** A motion to grant variance #3193 for 510 W. State Street was made by D. Barken.

**Deliberations & Findings:**
The proposed project will create 57 affordable units with high ceiling heights. The requested height variance is not an attempt to add additional units, and the appellant is not attempting to reduce ceiling heights to uncomfortable heights to meet zoning.

None of the requested variances are significant, and the Board does not identify any potential impacts from granting the variances.

The Board noted that the floor-to-floor height requirements for the CBD-50 zone are causing construction difficulties on larger lots in two zones, resulting in either impractical building design or a need for an area variance. The Board recommended that the City revisit this requirement and evaluate the impacts.

**Factors Considered:**

1. **Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties:** Yes ☐ No ☑
   This area is an evolving neighborhood with several new mixed-use buildings. The proposed building will be in keeping with this changing character, and the building design and treatment of street frontages will create a positive change.

2. **Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance:** Yes ☐ No ☑
   This particular site face several challenges including topography and a location split between two zones. The variance is required due to the different zoning requirements, particular the CBD-50 floor-to-floor requirement, and the grade change across the block. In addition, the funding for the affordable housing
project requires additional ceiling heights that are difficult to accommodate with the zoning without negatively impact design and construction.

3. **Whether the requested variance is substantial:** ☑ Yes ☐ No
The Board finds the 7” height variance in the CBD-50 and the 6” rear yard variance to be unsubstantial. The 4.5” height variance in the B-2d is more significant but is warranted in this particular case and the impacts are mitigated by the project as a whole.

4. **Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood:** Yes ☐ No ☑
The Planning Board has completed appropriate environmental review and has determined that there will be no significant impacts on the physical environment. In addition, the appellant has worked extensively with the Planning Board to ensure less impactful construction practices.

5. **Whether the alleged difficulty was self-created:** Yes ☑ No ☐
The alleged difficulty is self-created, as the appellant could build a smaller building or pursue a different design. However, the Board finds that the benefits of the project to the community and the appellant outweigh any impacts of the requested variances.

**Second Motion to Grant Variance:** Made by S. Henderson

**Vote:** 3-0-0
Stephen Henderson YES
Stephanie Egan-Engels YES
David Barken, Acting Chair YES

**Determination of the BZA Based on the Above Factors:**
The BZA, taking into the five factors for an area variance, finds that the benefit to the applicant outweighs the detriment to the neighborhood or community. The BZA further finds that the variances from the Zoning Ordinance, §325-8, Columns 9 and 14/15 are the minimum variances that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

___________________________
Megan Wilson, Senior Planner
Secretary, Board of Zoning Appeals

August 3, 2021 Date
NOTICE OF APPEAL
REGARDING ZONING OR SIGN ORDINANCE
CITY OF ITHACA, NEW YORK

APPEAL NO. 3257

TO: Owners of Property within 200 feet of 510 West State Street, Ithaca, NY 14850 and others interested.
(property address)

FROM: Ithaca Office Space, LLC applicable to property named above, in CBD50 & B2D zone.
(name of person or organization making appeal)

REGARDING: (check appropriate box)

[ ] Area Variance [ ] Use Variance [ ] Sign Variance [ ] Action, Decision, or Interpretation of Zoning Officer

City regulations require you be notified of this appeal to the Board of Zoning Appeals (BZA), as described in the attached narrative and provide the opportunity for you to comment on it and/or attend the meetings listed below. Anyone considered an interested party may speak for or against the appeal at the meetings listed below, or submit a written statement to the BZA before its designated meeting. Interested parties are defined as persons who live, work, or own property within 750’ of an appeal; designated representatives of neighborhood or civic associations; and elected City officials. There is a time limit of three (3) minutes for each interested party to address the BZA during the Public Hearing portion of the meeting.

The Board of Zoning Appeals bases its decision primarily on the written evidence submitted and presented to it, the testimony of interested parties, and zoning and legal considerations. The written case record will be available for review on the City’s website (http://www.cityofithaca.org/368/Board-of-Zoning-Appeals) under “Most Recent Agenda,” beginning one week before the scheduled BZA meeting. This case has also been referred to the City’s Planning and Development Board that will advise the BZA, if granting the relief sought by the appellant will affect long-term planning objectives.

The Planning Board will consider this case on 8/22/23 at 6:00 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2lVCnTrDg. To provide comments to the Planning Board on this appeal, please submit written comments to Anya Harris at aharris@cityofithaca.org, and your comments will be forwarded to the Board members for their review.

The Board of Zoning Appeals will consider this case on 9/12/23 at 5:30 P.M. in Common Council Chambers of City Hall. A live stream is available at https://www.youtube.com/channel/UC7RtJN1P_RFaFW2lVCnTrDg. There will be a public hearing on this appeal, and there are two options to participate in the public hearing:

1. Submit comments by email no later than 3 p.m. on the day of the meeting to zoningdivision@cityofithaca.org and they will be distributed to the Board or read aloud at the meeting. You must provide your name and address.

2. To speak at the meeting, sign up and receive instructions by contacting zoningdivision@cityofithaca.org or the Planning Division at (607) 274-6550. You must provide your name and address.

Signature of Appellant

226 Cecil Malone Drive, Suite 3, Ithaca, NY 14850

Address

7/28/23

Date
From: Ithaca Office Space, LLC
To: City of Ithaca Board of Zoning Appeals
Megan Wilson, Secretary
108 E. Green St. – Third Floor
Ithaca, NY 14850
mwilson@cityofithaca.com

Date: July 28, 2023
Re: 510 W State St Zoning Appeal

To the City of Ithaca Board of Zoning Appeals and to all property owners within 200 feet of the parcel located at 510 West State Street in Ithaca, New York: The applicant, Visum Development Group, is proposing to develop a building on a thru-block parcel with an address on West State Street. The parcel extends to Corn Street to the east, and to West Seneca Street to the north. The zoning officer has determined that the State Street and Corn Street frontages are front yards, but that the Seneca Street frontage, being the furthest lot line from the address side of the lot, is considered a rear yard.

The same area variances outlined below were approved in August 2021 but expired as construction did not begin within two years. No changes have been made on the previously approved project.

This rear yard of the thru-block lot is in the B2d zoning district. The depth of the lot that exists within that zone is 70’. The required 15% rear yard setback is therefore 10.5’. The proposed setback is 10’, which is the minimum rear yard required in the district. A variance is being requested to reduce the setback from 10.5’ to 10’. The applicant asserts that the yard should be treated as a front yard because it faces a street. The minimum front yard setback in the B2d district is 10’, and the applicant is proposing to respect this required setback. Furthermore, setting the building further back from the street line would be inconsistent with the adjacent buildings which front the street, most of which are actually closer to the street line than the 10’ minimum required by zoning.

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Julia Bucher
Senior Development Manager
Visum Development Group LLC
Campagnolo, Benedetto  
4 Spruce Ln  
Ithaca NY 14850

McLinn, Colleen M  
502 W Seneca St  
Ithaca NY 14850

Barradas, John  
404 E Seneca St  
Ithaca NY 14850

Avram Family Rev Decl of Tru  
4B Cove Ln  
North Bergen NJ 07047

Ellis, Robert R  
510 W Seneca St  
Ithaca NY 14850

Duvall, Ethan  
512 Seneca St W  
Ithaca NY 14850

Matosich, Louise M  
516 W Seneca St  
Ithaca NY 14850

CW Continuations Corp  
116 West Buffalo St  
Ithaca NY 14850

Arnot Ithaca 2, LLC  
230 Colonial Drive  
Horseheads NY 14845

Thayer, Douglas J  
417 W Seneca St # 19  
Ithaca NY 14850

Russell-Cook Properties, Inc  
435 W State St  
Ithaca NY 14850

Shannon, Nicholas M  
503 Seneca St W  
Ithaca NY 14850

CW Continuations Corp  
116 W Buffalo St, Suite 1A  
Ithaca NY 14850

CW Continuations Corp  
116 W Buffalo St, Ste 1A  
Ithaca NY 14850
Apartments Housing Dev Fund, Ithaca City
115 West Clinton St
Ithaca NY 14850

Cayuga Flats Hsng Dev Fund
115 W Clinton St
Ithaca NY 14850

506 West State, LLC
1203 W Glass Ave
Spokane WA 99205

508 Statum, LLC
24 Cavanaugh Rd
Wellesley MA 02481

Woojin Company, LLC
24 Rosina Dr
Ithaca NY 14850

Ithaca Office Space, LLC
226 Cecil A Malone Dr, Ste 3
Ithaca NY 14850

Alpern & Milton, LLC
901 Seneca St W
Ithaca NY 14850

Wilent Properties, LLC
1191 Ellis Hollow Rd
Ithaca NY 14850

Lam Fam, LLC
103 Kay St
Ithaca NY 14850

State Street of Ithaca, LLC
530 W State St
Ithaca NY 14850

Iglesia De Jusucristo, Palabra Meil Ithaca
106 Fifth St
Ithaca NY 14850

Peworchik, Kenneth A
4037 West Bluff Dr
Keuka Park NY 14478

Hughes, Beverlee A
511 Cliff St
Ithaca NY 14850

Ithaca Office Space, LLC
226 Cecil A Malone Dr, Ste 3
Ithaca NY 14850
ZONING APPEAL CERTIFICATION OF MAILING

RE: City of Ithaca Board of Zoning Appeals  
Zoning Appeal # 3257

I, [Full Name], affirm all property owners within two hundred (200) feet of the boundaries of the lot(s) under consideration have been mailed a copy of the enclosed notice on or before 8/15/23. I affirm the notice was mailed to the property owners at the addresses shown on the attached list of owners, by depositing the copy in a post-paid properly addressed envelope, in a post office or an official depository under the exclusive care and custody of the United States Post Office. I further affirm the names and addresses of the property owners are the same as the most recent assessment roll.

(Appellant’s Signature)

PLEASE SUBMIT THIS FORM TO:
City of Ithaca Zoning Division  
108 E. Green St., 3rd Fl.  
Ithaca, NY 14850  
Phone: (607) 274-6550  
Fax: (607) 274-6558
510 WEST STATE/MLK ST
VISUM DEVELOPMENT GROUP
CITY OF ITHACA, NY

PROJECT TEAM

Architect:
STREAM Collaborative
Architecture & Landscape Architecture DPC
Noah Demarest RA, RLA, LEED AP
ph: 607.216.8802
noah@streamcolab.com

Owner/Developer:
VISUM Development
115 S Cayuga St
Ithaca, NY 14850
607.269.7300

Co-Developer:
Providence Housing
1150 Buffalo Road
Rochester, NY 14624
585.529.9669

Civil Engineer:
Marathon Engineering
840 Hanshaw Rd #12
Ithaca, NY 14850
607.241.2917

Geotechnical Engineer:
Elwyn & Palmer Consulting Engineers, PLLC
213 East Seneca Street
Ithaca, NY 14850
607.272.5060

Structural Engineer:
Elwyn & Palmer Consulting Engineers, PLLC
213 East Seneca Street
Ithaca, NY 14850
607.272.5060

M&E Engineer:
Taitem Engineering
110 S Albany St
Ithaca, NY 14850
607.277.1118

Construction Manager:
LeCesse Construction
5 Circle St
Rochester, NY 14607
585.334.4490

Energy Consultant:
Sustainable Comfort
146 Main Street
Suite 301
Worcester, MA 01608
508.713.6680

BUILDING CODE SUMMARY - 510 W. State St
Building Code:
2020 Building Code of NYS
Occupancy Type:
R-2
Construction Type:
3A
Area Increase Frontage:
N/A
Allowable Fire Area:
72,000 SF
NFPA Sprinkler Provided:
NFPA 13
Stories Allowed with Sprinkler Type:
5
Height Allowed with Sprinkler Type:
60'

Total Area Allowed:
72,000 SF
Building Height: 52'-7" (State St.), 44'-5" (Seneca St.)

Fire Resistance Rating Requirements:
One Hour Fire Partitions at unit separations

Floor Areas:
First Floor Area:
12,587 SF
Second Floor Area:
12,756 SF
Third Floor Area:
12,756 SF
Fourth Floor Area:
12,756 SF
Fifth Floor Area:
9,942 SF
Building Gross Area:
60,797 SF
Roof Area (footprint):
9,942 SF

PRELIMINARY
NOT FOR CONSTRUCTION
### Gran Total: 56,425 SF 94

**5th Floor:** 9,696 SF 15
- **Unit 5H:** 825 SF 2-Bed E 2 Y Y Y
- **Unit 5D:** 613 SF 1-Bed A 1 Y Y Y
- **Unit 5B:** 662 SF 1-Bed C 1 Y Y Y
- **Unit 5A:** 920 SF 2-Bed F 2 Y Y Y

**Unit 4K:** 777 SF 2-Bed A 2 Y Y Y
- **Unit 4H:** 767 SF 2-Bed C 2 Y Y Y
- **Unit 4F:** 781 SF 2-Bed A 2 Y Y Y
- **Unit 4A:** 933 SF 2-Bed F 2 Y Y Y

**Unit 3M:** 826 SF 2-Bed E 2 Y Y Y
- **Unit 3L:** 940 SF 2-Bed D 2 Y Y Y
- **Unit 3E:** 788 SF 2-Bed A 2 Y Y Y
- **Unit 3D:** 613 SF 1-Bed A 1 Y Y Y

**2nd Floor:** 13,993 SF 22
- **Unit 2H:** 767 SF 2-Bed C 2 Y Y Y
- **Unit 2E:** 788 SF 2-Bed A 2 Y Y Y Y
- **Unit 2C:** 617 SF 1-Bed A 1 Y Y Y
- **Unit 2A:** 933 SF 2-Bed F 2 Y Y Y

**Unit 1D:** 615 SF 1-Bed A 1 Y Y Y Y
- **Unit 1A:** 846 SF 2-Bed E 2 Y Y No Y

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**Gross Area Unit Type Bed Visitable Accessible VHU Type B Tub**

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**Grand Total:** 139,609 SF 22
- **Shared:** 2,562 SF
- **Residential Common:**
  - **Trash/Jan:** 508 SF
  - **Offices:** 589 SF
  - **Lav.:** 166 SF
  - **Laundry:** 829 SF
  - **Elevator:** 4,78 SF
  - **Corridor:** 5,177 SF
  - **Corridor 2:** 2,063 SF
  - **Corridor 1:** 1,474 SF
  - **Boiler Room:** 307 SF
  - **Unit 5G:** 955 SF
  - **Unit 5E:** 785 SF
  - **Unit 4N:** 837 SF
  - **Unit 4M:** 826 SF
  - **Unit 4J:** 630 SF
  - **Unit 4C:** 643 SF
  - **Unit 3K:** 805 SF
  - **Unit 3J:** 630 SF
  - **Unit 3G:** 820 SF
  - **Unit 3F:** 781 SF
  - **Unit 3C:** 643 SF
  - **Unit 3B:** 668 SF
  - **Unit 3A:** 959 SF
  - **Unit 2H:** 795 SF
  - **Unit 2F:** 781 SF
  - **Unit 2D:** 642 SF
  - **Unit 1E:** 788 SF
  - **Unit 1C:** 645 SF
  - **Unit 1B:** 494 SF
  - **Unit 1A:** 846 SF

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**Shared:** 2,492 SF
- **Shared Entry:** 200 SF
- **3rd Floor:** 14,799 SF
- **Offices:** 539 SF
- **Elevator:** 4,78 SF
- **Corridor:** 5,177 SF
- **Corridor 4:** 2,007 SF
- **Community Room:** 759 SF
- **Boiler Room:** 285 SF
- **Unit 5D:** 623 SF
- **Unit 5A:** 888 SF
- **Unit 4M:** 803 SF
- **Unit 4L:** 896 SF
- **Unit 4H:** 759 SF
- **Unit 4G:** 779 SF
- **Unit 4F:** 757 SF
- **Unit 4B:** 668 SF
- **Unit 3L:** 896 SF
- **Unit 3J:** 612 SF
- **Unit 3D:** 621 SF
- **Unit 3C:** 625 SF
- **Unit 3B:** 668 SF
- **Unit 3A:** 901 SF
- **Unit 2N:** 797 SF
- **Unit 2G:** 779 SF
- **Unit 2F:** 757 SF
- **Unit 2B:** 668 SF
- **Unit 1J:** 611 SF

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**AA:** 100 SF
- **A:** 777 SF
- **B:** 602 SF
- **C:** 617 SF
- **D:** 616 SF
- **E:** 617 SF
- **F:** 642 SF
- **G:** 643 SF
- **H:** 645 SF
- **I:** 508 SF
- **J:** 611 SF
- **K:** 612 SF
- **L:** 613 SF
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- **S:** 617 SF
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- **U:** 617 SF
- **V:** 617 SF
- **W:** 617 SF
- **X:** 617 SF
- **Y:** 617 SF
- **Z:** 617 SF

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**Not Placed:**
- **Unit 4J:**
- **Unit 4H:**
- **Unit 2G:**

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**Rooms:**
- **Laundry:** 99 SF
- **Bike Room:** 157 SF

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**Not For Construction**
EGRESS PATHS

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